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EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,109

Applicant(s)

BANERJEE ET AL.

GS

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. This action is in response to the amendment filed on May 7, 2004. Claims 1-54 are pending. Claims 39-54 are added. Claims 1-2, 9-10, 14-20, 23-24, 31-32, 36 and 38 and amended. Claims 1-54 are examined.
2. The rejections for the newly added claims 39-54 are presented in this office action.

Response to Arguments

3. Applicant has implemented computer technologies into the independent claim 1, thus, the 35 U.S.C. 101 rejections for claims 1, 3-4 and 10-16 are withdrawn.
4. Applicant's arguments filed May 7, 2004 have been fully considered but they are not persuasive.

Applicant argues that the scheduling method taught by McCoy (U. S. Patent 6,526,575) fails to teach registering, and the scheduled items of McCoy are not available for distribution or purchase by an online content purchaser. Examiner respectfully disagrees. The word "register" is defined by Webster Dictionary as "to enroll formally or officially" (WEBSTER'S II New Riverside University Dictionary, ISBN 0-395-33957-X). McCoy teaches to schedule items (i.e. TV programs), and the requested item will be enrolled at a proper available time slot if there is no conflict (column 16 line 53 – column 17 line 1). The scheduled items comprise TV advertisements (column 16 lines 64-67). The subscriber can review the advertisements and selects desired programs for purchase (i.e. pay-per-view) (see claims 5 lines 48-67

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and column 8 lines 6-19, and that corresponds to the scheduled items are available for distribution or purchase by an online content purchaser as claimed by applicant.

Applicant further argues that McCoy teaches determining when content will be distributed, whereas the applicant claims determining whether content can be distributed. Examiner respectfully disagrees because applicant does not claim or explicitly indicate such distinction in the claims (i.e. claim 1), instead the applicant merely claims that "determining whether there is a conflict between...", and "registering the additional content item...if there is no conflict...". McCoy clearly teaches this claimed limitation, in particular, McCoy teaches determining whether there is conflict between the distribution parameters of the additional content item (i.e. advertisements) and the distribution parameters of previously registered/enrolled content items (i.e. previously enrolled advertisements), and registering/enrolling the additional content item if there is no conflict so that the registered content item can be distributed to the subscribers (column 5 lines 48-67 and column 8 lines 6-19 and column 16 line 53 – column 17 line 6).

In regarding to all the dependent claims, the arguments are based on their respective independent claims, which are discussed above; thus, the arguments for all the dependent claims are reversed on the same basis as the discussion above.

Claim Objections

5. Claims 31, 36 and 48-52 are objected to because of the following informalities:

- a) In line 5 of claim 31, the phrase "the content controller" should be "a content controller";

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- b) In line 3 of claim 36, the phrase "content controller server system" should be "a content controller system";
- c) In line 1 of claim 48, the number "39" should be "47";
- d) In line 1 of claim 49, the number "39" should be "47";
- e) In line 1 of claim 50, the number "39" should be "47";
- f) In line 1 of claim 51, the number "39" should be "47";
- g) In line 1 of claim 52, the number "39" should be "47".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3-4, 12, 17, 20-23, 25-26 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by McCoy et al., U. S. Patent 6,526,575.

As to claims 1 and 23, McCoy teaches a computer implemented method for making syndicated content available on-line with a content controller system, and a computer program product including instructions embodied on a computer readable medium, comprising (column 10 lines 34-41, 63 – column 11 line 7):

- a) maintaining a computerized database of previously registered content items for distribution to an online content purchaser and of distribution parameters associated with each of the previously registered content items (column 5 lines 48-67 and column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, “previous registered content items” correspond to the global absolute schedule and the local absolute schedule in the first and the second skeleton in McCoy’s teaching, and “distribution parameters” correspond to the time and date information that associated with the global and the local absolute schedule*);
- b) receiving a request to register an additional content item with associated distribution parameters (column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, “an additional content item” corresponds the absolute rate schedule in the third skeleton in McCoy’s teaching, and “distribution parameters” correspond to the time, date or frequency that associated with the absolute rate schedule*);
- c) determining whether there is a conflict between the distribution parameters of the additional content item and distribution parameters of previously registered content items (column 16 line 53 – column 17 line 1 and Figs. 18-19);
- d) registering the additional content item in the database if there is no conflict, wherein the additional content item becomes available for distribution to the online content purchaser (column 5 lines 48-67 and column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, this limitation corresponds to allowing the*

absolute rate schedule to be added to the scheduling if it is not conflict with the global and local absolute schedule).

As to claims 3, 20 and 25, McCoy teaches the registered content items are selected from films, sporting events, music performances, entertainment, information, video feeds, audio feeds, television broadcasts, and combinations thereof (column 5 line 41 – column 6 line 5 and column 14 lines 31-34).

As to claims 4, 21 and 26, McCoy teaches the distribution parameters are selected from pricing of the content for a purchaser, time period for distribution of the content, geographical areas to distribute or not to distribute the content, the bandwidth over which the content may be distributed, content description and classification, and combinations thereof (column 5 lines 56-59 and column 10 lines 15-24 and column 12 lines 37-56 and column 14 lines 25-30 and column 16 line 53 – column 17 line 1).

As to claims 12 and 34, McCoy teaches the request to register is received from a content provider selected from a new content provider and a current content provider (column 16 line 53 – column 17 line 1 and column 19 line 63 – column 20 line 31).

As to claim 17, McCoy teaches a system for controlling online content distribution comprising (abstract):

- a) a content controller server (item 102 in Fig. 1),
- b) at least one database containing registered content that is available for purchase by an online content purchaser, registered content distribution parameters, content distributor business policy parameters, and purchaser parameters (column 5 lines 48-67 and column 9 lines 49-67 and column 11 line

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64 – column 12 line 3 and column 16 line 53 – column 17 line 1 and column 22 lines 20-27 and Figs. 4-11);

c) a parameter conflict detector, wherein new content having distribution parameters not in conflict with the distribution parameters of registered content is registered and made available to purchasers (column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, "new content" corresponds to the absolute rate schedule in the third skeleton in McCoy's teaching, and "registered content" corresponds to the global and the local absolute schedule in the first and the second skeleton*).

As to claim 22, McCoy teaches purchaser properties are selected from purchaser identification, demography or combinations thereof (column 9 lines 49-67).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 5-8, 24 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy et al., U. S. Patent 6,526,575 in view of Clark, U. S. Patent 5,311,423.

As to claims 2 and 24, McCoy teaches further teaches:

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e) receiving a request from the online content purchaser to purchase a specific registered content item (column 1 lines 32-44; *specifically, purchase a specific registered content item corresponds to subscribing a pay-per-view event*).

McCoy does not explicitly teach: f) identifying one or more properties of the online content purchaser, g) determining whether there is a conflict between the one or more properties of the online content purchaser and the distribution parameters associated with the specific registered content item, and h) delivering the specific registered content item to the online content purchaser if there is no conflict. However, Clark teaches identifying one or more properties of the online content purchaser (column 7 lines 40-50 and column 8 lines 24-29), determining whether there is a conflict between the one or more properties of the online content purchaser and the distribution parameters associated with the specific registered content item (column 7 lines 40-50 and column 21 line 63 – column 22 line 9), and delivering the specific registered content item to the online content purchaser if there is no conflict (column 7 lines 40-50 and column 21 line 63 – column 22 line 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow online purchasing process in McCoy's teaching to further include the features taught by Clark for better distributing the specific registered content items to the purchaser.

As to claims 5 and 27, McCoy teaches the one or more properties of the online content purchaser are selected from purchaser identification, demography or combinations thereof (column 9 lines 49-67).

As to claims 6 and 28, McCoy further teaches:

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- i) allowing the online content purchaser to access the content controller system (Figs. 12-17);
- j) collecting information from the purchaser (column 9 lines 58-67 and Figs. 6-7);
- k) storing the collected information in a purchaser database on the content controller system, wherein the collected information is selected from purchaser properties (column 9 lines 58-67 and Figs. 6-7).

As to claims 7 and 29, McCoy teaches purchaser properties are selected from purchaser identification, geographical location, demography or combinations thereof (column 9 lines 58-67).

As to claims 8 and 30, McCoy teaches storing the purchaser's information in the purchaser database (column 9 lines 58-67 and Figs. 6-7). McCoy does not specifically teach issuing a user identification and password to the purchaser for accessing the content controller system, and storing the user identification and password in the purchaser database. However, Clark teaches the purchaser having a user identification and password for access contents (column 7 lines 46-50 and column 8 lines 25-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the purchaser's information in McCoy's teaching to include a user identification and password because this would prevent unauthorized access of the content.

10. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy et al., U. S. Patent 6,526,575 in view of Ansell et al., U. S. Patent 6,151,631.

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As to claim 18, McCoy further teaches:

- a) maintaining geographical location information of the purchaser (column 9 lines 58-67);
- b) a business policy parameter conflict detector, wherein new content having distribution parameters not in conflict with the business policy parameters is registered and made available to purchasers (column 22 lines 20-27).

McCoy does not explicitly teach a purchaser geography detector that identifies the purchaser's geographical location. However, Ansell teaches this matter (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to include a purchaser geography detector that identifies the purchaser's geographical location as taught by Ansell because this would quickly determine the location of the purchaser and to ensure securely delivering the content to the purchaser according to the business policy parameters.

As to claim 19, McCoy teaches the business policy parameters are selected from objectionable content ban (column 22 lines 20-26).

11. Claims 9 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy et al., U. S. Patent 6,526,575 in view of Clark, U. S. Patent 5,311,423 in further view of Ansell et al., U. S. Patent 6,151,631.

As to claims 9 and 31, McCoy modified by Clark further teaches the one or more properties of the online content purchaser include the geographical location of the purchaser (McCoy: column 9 lines 58-67). McCoy modified by Clark does not explicitly teach the geographical location is identified by a method selected from asking the

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purchaser to provide the geographical location on a Web page and determining the location automatically through an IP address of the purchaser by the content controller system. However, this matter is taught by Ansell as identifying the purchaser's geographical location by determining the purchaser's IP address (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the graphical location of the purchaser in the teaching of McCoy modified by Clark to include the feature of identifying the geographical location by determining the IP address of the purchaser as taught by Ansell because this would allow the content control system to quickly determine the location of the purchaser and to ensure securely delivering the content to the purchaser.

12. Claims 10-11, 13-16, 32-33, 35-43 and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy et al., U. S. Patent 6,526,575 in view of Haddad, U. S. Patent 5,835,843.

As to claims 10 and 32, McCoy teaches determining whether there is conflict between the distribution parameters of the additional content item and previously registered content as discussed in claim 1 above. McCoy does not explicitly teach e) comparing the requested distribution parameters with the distribution parameters of the previously registered content items, and f) denying registration of the additional content item if the requested distribution parameters conflict with the distribution parameters of the previously registered content. However, this matter is taught by Haddad as comparing a customer request for a particular video segment with the current existing schedules, rejecting the customer request if there is a conflict (column 9 lines 5-9 and

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column 10 lines 13-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to include the features of comparing the requested distribution parameters with the distribution parameters of the previously registered content items, and denying registration of the additional content item if the requested distribution parameters conflict with the distribution parameters of the previously registered content for quickly determining if it is possible to satisfy registration request for the additional content item.

As to claims 11 and 33, McCoy teaches determining whether there is conflict between the distribution parameters of the additional content item and the previously registered content items as discussed in claim 1 above. McCoy does not specifically teach receiving a modified request to register the additional content item with modified distribution parameters to remove conflict with the distribution parameters of the registered content. However, this matter is taught by Haddad as modifying the customer's scheduling request for a particular video segment by removing the conflict (column 10 lines 13-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to further include the feature of modifying the request for registering the additional content item by removing the conflict with the previously registered content items for quickly resolving the conflict, and thus to satisfy the customer's request with an alternative solution. McCoy further teaches repeating steps c and d (column 16 line 53 – column 17 line 1 and Figs. 18-19).

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As to claims 13 and 35, McCoy teaches the request to register provides the requested distribution parameters in computer readable format to the content controller server (column 19 line 63 – column 20 line 31 and Figs. 1-3).

As to claims 14 and 36, McCoy teaches determining whether there is conflict between the distribution parameters of the additional content and the previously registered content as discussed in claim 1 above. McCoy does not explicitly teach e) comparing the requested distribution parameters with the business parameters established for the content controller system, and f) denying registration of the additional content item if the distribution parameters of the additional content item conflict with the business parameters. However, this matter is taught by Haddad as comparing a customer request for a particular video segment with the current existing schedules, rejecting the customer request if there is a conflict (column 9 lines 5-9 and column 10 lines 13-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to include the features of comparing the requested distribution parameters with the business parameters established for the content controller system, and denying registration of the additional content item if the distribution parameters of the additional content item conflict with the business parameters because this would quickly determine if it is possible to satisfy registration request for the additional content item.

As to claims 15, 37, 42 and 50, McCoy teaches the business parameters are selected from objectionable content (column 22 lines 20-26).

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As to claims 16, 38, 43 and 51, McCoy teaches determining whether there is conflict between the distribution parameters of the additional content item and the previously registered content items as discussed in claims 1 and 23 above and claims 39 and 47 below. McCoy does not specifically teach modifying the distribution parameters of the additional content item to remove conflict with the business parameters of the content controller system. However, this matter is taught by Haddad as modifying the customer's scheduling request for a particular video segment by removing the conflict (column 10 lines 13-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to further include the feature of modifying the distribution parameters of the additional content item to remove conflict with the business parameters of the content controller system because this would quickly resolve the conflict, and thus to satisfy the customer's request with an alternative solution. McCoy modified by Haddad further teaches repeating steps c through f (see claims 1, 14, 23 and 36 above) or repeating steps c through d (see claims 39 and 47 below).

As to claims 39 and 47, McCoy teaches a computer implemented method for making syndicated content available on-line with a content controller system, and a computer program product including instructions embodied on a computer readable medium, comprising (column 10 lines 34-41, 63 – column 11 line 7):

- a) maintaining a computerized database of previously registered content items for distribution to an online content purchaser and of distribution parameters associated with each of the previously registered content items, wherein the

distribution parameter comply with a site policy (column 5 lines 48-67 and column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, “previous registered content items” correspond to the global absolute schedule and the local absolute schedule in the first and the second skeleton in McCoy’s teaching, and “distribution parameters” correspond to the time and date information that associated with the global and the local absolute schedule*);

b) receiving a request to register an additional content item with associated distribution parameters (column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, “an additional content item” corresponds the absolute rate schedule in the third skeleton in McCoy’s teaching, and “distribution parameters” correspond to the time, date or frequency that associated with the absolute rate schedule*);

c) determining whether there is a conflict between the requested distribution parameters with business parameters that define the site policy (column 16 line 53 – column 17 line 1 and Figs. 18-19);

d) registering the additional content item in the database if there is no conflict between the request distribution parameters and the business parameters, wherein the additional content item becomes available to the online content purchaser (column 5 lines 48-67 and column 16 line 53 – column 17 line 1 and Figs. 18-19; *specifically, this limitation corresponds to allowing the absolute rate schedule to be added to the scheduling if it is not conflict with the global and local absolute schedule*).

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McCoy does not explicitly teach comparing the requested distribution parameters with business parameters that define the site policy. However, this matter is taught by Haddad as comparing a customer request for a particular video segment with the current existing schedules, rejecting the customer request if there is a conflict (column 9 lines 5-9 and column 10 lines 13-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow McCoy's teaching to include the features of comparing the requested distribution parameters with the business parameters because this would quickly determine if it is possible to satisfy registration request for the additional content item.

As to claims 40 and 48, McCoy teaches the registered content items are selected from films, sporting events, music performances, entertainment, information, video feeds, audio feeds, television broadcasts, and combinations thereof (column 5 line 41 – column 6 line 5 and column 14 lines 31-34).

As to claims 41 and 49, McCoy teaches the distribution parameters are selected from pricing of the content for a purchaser, time period for distribution of the content, geographical areas to distribute or not to distribute the content, the bandwidth over which the content may be distributed, content description and classification, and combinations thereof (column 5 lines 56-59 and column 10 lines 15-24 and column 12 lines 37-56 and column 14 lines 25-30 and column 16 line 53 – column 17 line 1).

13. Claims 44-46 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy et al., U. S. Patent 6,526,575 in view of Haddad, U. S. Patent 5,835,843, and in further view of Clark, U. S. Patent 5,311,423.

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As to claims 44 and 52, McCoy modified by Haddad teaches further teaches receiving a request from the online content purchaser to purchase a specific registered content item (McCoy: column 1 lines 32-44; *specifically, purchase a specific registered content item corresponds to subscribing a pay-per-view event*).

McCoy modified by Haddad does not explicitly teach identifying one or more properties of the online content purchaser, determining whether there is a conflict between the one or more properties of the online content purchaser and the distribution parameters associated with the specific registered content item, and delivering the specific registered content item to the online content purchaser if there is no conflict. However, Clark teaches identifying one or more properties of the online content purchaser (column 7 lines 40-50 and column 8 lines 24-29), determining whether there is a conflict between the one or more properties of the online content purchaser and the distribution parameters associated with the specific registered content item (column 7 lines 40-50 and column 21 line 63 – column 22 line 9), and delivering the specific registered content item to the online content purchaser if there is no conflict (column 7 lines 40-50 and column 21 line 63 – column 22 line 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow online purchasing process in the teaching of McCoy modified by Haddad to further include the features taught by Clark for better distributing the specific registered content items to the purchaser.

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As to claims 45 and 53, McCoy teaches the one or more properties of the online content purchaser are selected from purchaser identification, demography or combinations thereof (column 9 lines 49-67).

As to claims 46 and 54, McCoy further teaches allowing the online content purchaser to access the content controller system (Figs. 12-17); collecting information from the purchaser (column 9 lines 58-67 and Figs. 6-7); storing the collected information in a purchaser database on the content controller system, wherein the collected information is selected from purchaser properties (column 9 lines 58-67 and Figs. 6-7).

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306 (Official Communications; including After Final
Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Plaza Two, Room 1B03.

Mary Cheung
Patent Examiner
Art Unit 3621
December 20, 2004

